

# **Exhibit D to Mather Declaration (Reed Declaration)**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

ANNE FLACCUS, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

ADVANCED DISPOSAL SERVICES, INC.  
F/K/A ADS WASTE HOLDINGS, INC.,  
ADVANCED DISPOSAL SERVICES  
EASTERN PA, INC. F/K/A ADVANCED  
DISPOSAL SERVICES SHIPPENSBURG,  
LLC AND ADVANCED DISPOSAL  
SERVICES SOUTH, LLC F/K/A  
ADVANCED DISPOSAL SERVICES, INC.

Defendants.

Case No. 2:17-cv-04808-MAK

**DECLARATION OF CHRISTIE K.  
REED REGARDING  
ADMINISTRATION  
QUALIFICATIONS AND NOTICE  
PROCEDURES**

Judge: Hon. Mark A. Kearney

**DECLARATION OF CHRISTIE K. REED REGARDING**

**ADMINISTRATION QUALIFICATIONS AND NOTICE PROCEDURES**

I, Christie K. Reed, declare and state as follows:

1. My name is Christie K. Reed. I have personal knowledge of the matters set forth herein.

2. I am a Vice President of Legal Notification Services at KCC Class Action Services, LLC ("KCC"), a firm that specializes in comprehensive class action services, including legal notification, email and postal mailing campaign implementation, website design, call center support, class member data management, claims processing, check and voucher disbursements, tax reporting, settlement fund escrow and reporting, and other related services critical to the effective administration of class action settlements. With more than 30 years of industry

experience, KCC has developed efficient, secure and cost-effective methods to properly handle the voluminous data and mailings associated with the noticing, claims processing and disbursement requirements of these matters to ensure the orderly and fair treatment of class members and all parties in interest. KCC has been retained to administer more than 7,000 class actions and distributed settlement payments totaling well over a trillion in assets.

3. The purpose of this declaration is to provide information related to KCC's qualifications and experience and to detail the settlement notice program ("Notice Plan") proposed here for the Settlement in *Anne Flaccus, individually and on behalf of all others similarly situated v. Advanced Disposal Services, Inc. f/k/a ADS Waste Holdings, Inc., Advanced Disposal Services Eastern PA, Inc. f/k/a Advanced Disposal Services Shippensburg, LLC and Advanced Disposal Services South, LLC f/k/a Advanced Disposal Services, Inc.*, Case No. 2:17-cv-04808-MAK.

4. Unless otherwise noted, capitalized terms have the same meaning ascribed to them as in the Settlement Agreement and General Release.

#### **KCC BACKGROUND AND EXPERIENCE**

5. KCC has administered class action settlements involving such defendants as HP-Compaq, Toyota, LensCrafters, United Parcel Service, Ford, Mitsubishi, Nissan, Whirlpool, ATI Video Cards, and Twentieth Century Fox. Further, KCC has been retained as the administrator in a variety of matters. Some case examples which KCC has been involved with include: *Barba v. Shire U.S., Inc.*, No. 1:13-cv-21158 (S.D. Fla.); *Beck-Ellman v. Kaz USA Inc.*, No. 10-cv-2134 (S.D. Cal.); *Brickman v. Fitbit, Inc.*, No. 3:15-cv-02077 (N.D. Cal.); *Cicciarella v. Califia Farms, LLC*, No. 7:19-cv-08785 (S.D.N.Y); *Elkies v. Johnson & Johnson Services, Inc.*, No. 2:17-cv-07320 (C.D. Cal.); *Friend v. FGF Brands (USA), Inc.*, No. 1:18-cv-07644 (N.D. Ill.); *Holt v. Foodstate, Inc.*, No. 1:17-cv-00637 (D.N.H.); *In re Morning Song Bird Food Litig.*, No. 3:12-cv-

01592 (S.D. Cal.); *In re Nexus 6P Products Liab. Litig.*, No. 5:17-cv-02185 (N.D. Cal.); *In Re: Rust-Oleum Restore Marketing, Sales Practices and Products Liab. Litig.*, No. 1:15-cv-01364 (N.D. Ill.); *In re Trader Joe's Tuna Litig.*, No. 2:16-cv-01371 (C.D. Cal.); *Lerma v. Schiff Nutrition International, Inc.*, No. 3:11-cv-01056 (S.D. Cal.); *Morrissey v. Tula Life, Inc.*, No. 2021L000646 (Cir. Ct. Ill.); *Poertner v. The Gillette Co. and The Procter & Gamble Co.*, No. 6:12-cv-00803 (M.D. Fla.); *Rael v. The Children's Place, Inc.*, No. 3:16-cv-00370 (S.D. Cal.); *Rikos v. The Procter & Gamble Co. (Align Probiotics)*, No. 11-cv-00226 (S.D. Ohio); *Roberts v. Electrolux Home Products, Inc.*, No. 8:12-cv-01644 (C.D. Cal.); *Russell v. Kohl's Department Stores, Inc.*, No. 5:15-cv-01143 (C.D. Cal.); *Schneider v. Chipotle Mexican Grill, Inc.*, No. 3:16-cv-02200 (N.D. Cal.); *Shames v. The Hertz Corporation*, No. 07-cv-2174 (S.D. Cal.); and *Suchanek v. Sturm Foods, Inc.*, No. 3:11-cv-00565 (S.D. Ill.).

6. If the Court grants the Plaintiffs' Motion for Preliminary Approval of the Settlement, and if KCC is appointed as the Settlement Administrator by the Court in this matter, KCC is prepared to, capable of, and willing to implement the Notice Plan as set forth in the Settlement Agreement and General Release.

### **NOTICE PLAN**

7. The Notice Plan is designed to provide notice to the following Settlement Class: All Advanced Disposal commercial customers in Pennsylvania who paid one or more of a fuel surcharge, environmental fee, or administrative fee, to Advanced Disposal from October 1, 2012 to September 12, 2018. Excluded from the class are all customers who signed a written contract that included an arbitration clause and class action waiver.

8. The following are also excluded from the Settlement Class: (1) the district and magistrate judges presiding over this case; (2) the judges of the Third Circuit; (3) the immediate

families of the preceding person(s); (4) any Released Party; (5) any Settlement Class Member who timely opts out of this Action; and (6) Class Counsel, their employees, and their immediate families.

***Individual Notice***

9. Advanced Disposal will provide Class counsel with a list of approximately 12,224 Advanced Disposal commercial customers in Pennsylvania who paid one or more of a fuel surcharge, environmental fee, or administrative fee, to Advanced Disposal from October 1, 2012 to September 12, 2018 and who did not sign a written contract that included an arbitration clause and class action waiver (the “Class List”).

10. A single postcard Summary Notice will be sent to all Settlement Class Members identified in the Class List.

11. Prior to mailing, the addresses will be checked against the National Change of Address (NCOA)<sup>1</sup> database maintained by the United States Postal Service (USPS); certified via the Coding Accuracy Support System (CASS);<sup>2</sup> and verified through Delivery Point Validation (DPV).<sup>3</sup>

12. Notices returned by USPS as undeliverable will be re-mailed to any address available through postal service forwarding order information. For any returned mailing that does

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<sup>1</sup> The NCOA database contains records of all permanent change of address submissions received by the United States Postal Service (“USPS”) for the last four years. The USPS makes this data available to mailing firms and lists submitted to it are automatically updated with any reported move based on a comparison with the person’s name and last known address.

<sup>2</sup> Coding Accuracy Support System is a certification system used by the USPS to ensure the quality of ZIP+4 coding systems.

<sup>3</sup> Records that are ZIP+4 coded are then sent through Delivery Point Validation to verify the address and identify Commercial Mail Receiving Agencies. DPV verifies the accuracy of addresses and reports exactly what is wrong with incorrect addresses.

not contain an expired forwarding order with a new address indicated, KCC may conduct further address searches using credit and other public source databases to attempt to locate new addresses and will re-mail these notices, if applicable.

### ***Response Mechanisms***

13. KCC will establish and maintain a case-specific website, [www.AdvancedDisposalPennsylvaniaFeeSettlement.com](http://www.AdvancedDisposalPennsylvaniaFeeSettlement.com), to allow Settlement Class Members to obtain additional information and documents about the Settlement. Settlement Class Members will also be able to view, download, and/or print the Settlement Agreement and General Release, the Long Notice approved by the Court, the Preliminary Approval Motion and Order, the operative Complaint, and the Motion for an award of Attorneys' Fees and Expenses. The website will also allow Settlement Class Members the ability to update their contact information. The website will be maintained and updated until after the stale date of the Settlement Awards.

14. KCC will establish a case-specific toll-free number to allow Settlement Class Members to call and learn more about the case by speaking to a live operator.

### ***Settlement Payments***

15. After the Settlement receives final approval, KCC will mail each Settlement Class Member, for which it has a valid mailing address, a check for their pro rata share of the fees paid during the Class Period. Each check will contain a Release located under the endorsement section.

16. Settlement checks returned by USPS as undeliverable will be re-mailed to any address available through postal service forwarding order information. If USPS does not provide a new address, KCC may conduct further address searches in an attempt to locate new addresses and re-mail settlement checks, if and as applicable.

17. The amount of any settlement checks returned or left uncashed after re-mailing to

new or updated addresses will be distributed to Class Members who have cashed their check as part of the first mailing of settlement checks. The amount of this second check will represent a pro rata share of the fees the Settlement Class Member paid during the Class Period, but not to exceed the aggregate amount of fees it paid during the Class Period.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 8<sup>th</sup> day of February, 2023, at Lakewood, CA.

  
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Christie K. Reed